

**BOARD OF COUNTY COMMISSIONERS, UTAH COUNTY, UTAH**  
**MINUTES OF PUBLIC MEETING**  
**COMMISSION CHAMBERS, ROOM 1400**  
**OF THE UTAH COUNTY ADMINISTRATION BUILDING**  
**January 21, 2014 - 9:00 A.M.**

**PRESENT:** COMMISSIONER GARY J. ANDERSON, CHAIR  
COMMISSIONER LARRY A. ELLERTSON, VICE-CHAIR  
COMMISSIONER DOUG WITNEY

**ALSO PRESENT:**

David Shawcroft, Utah County Deputy Attorney  
Paul Jones, Utah County Deputy Attorney  
Bryan E. Thompson, Utah County Clerk/Auditor  
Burt Harvey, Clerk/Auditor - Tax Admin. Supervisor  
Julie Rollins, Utah County Purchasing Agent  
Kris Poulson, Utah County Assessor  
Jim Stevens, Utah County Assessor's Office  
Dean Miner, Utah County Extension Director  
Dr. Joseph K. Miner, Health Department Exec. Director  
Matt Phillips, Utah County Health Department

Lana Jensen, Utah County Personnel Director  
Richard Nielson, Utah County Public Works Director  
Jeff Smith, Utah County Recorder  
Andrea Allen, Utah County Recorder's Office  
Dalene Higgins, Utah County Sheriff's Office  
Gary Ratcliffe, Utah County Surveyor  
Robert C. Kirk, Utah County Treasurer  
Cathy Davies, Utah County Justice Court  
Eldon A. Neves, Citizens for Rural Utah  
Renée Huggins-Caron, Clerk/Auditor Admin. Assist.

Commissioner Anderson called the meeting to order at 9:03 A.M. and welcomed those present. The following matters were discussed:

**PRAYER/READING/THOUGHT:** Gary Ratcliffe, Utah County Surveyor  
**PLEDGE OF ALLEGIANCE:** Lana Jensen, Utah County Personnel Director

**CONSENT AGENDA**

1. **DECLARE ATTACHED LIST OF COMPUTER EQUIPMENT AS SURPLUS AND ALLOW THE DISPOSITION THEREOF BY PUBLIC AUCTION**
2. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN CHANGE ORDER NO. 2 TO AGREEMENT NO. 2013-640 WITH WESTERN STATES ENGINEERING TO MODIFY THE QUANTITIES OF REPLACEMENT CAMERA EQUIPMENT**
3. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY ASSESSOR'S OFFICE IN CANCELLATION AND CORRECTION LETTER NO. 60301, DATED JANUARY 16, 2014**
4. **APPROVE TAX CREDITS AND REFUNDS RECOMMENDED BY THE COUNTY TREASURER'S OFFICE IN CANCELLATION LETTER NO. 20299**
5. **APPROVE RELEASE OF LIEN RECORDED AGAINST PARCEL SERIAL NO. 36:039:0008 AS ENTRY NO. 27062:2013 FOR DELINQUENT PROPERTY TAXES [AGREEMENT NO. 2013-206]**
6. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-1 - REQUESTS TO FILE LATE TAX ABATEMENT APPLICATIONS**
7. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-2**

The Board requested that Consent Agenda Item No. 7 be moved to the Regular Agenda for discussion.  
PULLED TO REGULAR

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8. **ADOPT A RESOLUTION APPROVING VOLUNTEERS WHO WISH TO DONATE THEIR SERVICES TO THE UTAH COUNTY SHERIFF'S OFFICE**

9. **APPROVE THE MINUTES OF THE DECEMBER 31, 2013 COMMISSION MEETING**

10. **RATIFICATION OF WARRANT REGISTER SUMMARY**

Register No. 39	January 10, 2014	Direct Deposit:18598-18632	Total: \$	8,503.71
Register No. 40	January 10, 2014	Check Nos. 189736-189767	Total: \$	7,203.98
Register No. 41	January 13, 2014	Check Nos. 189768-189769	Total: \$	240.00
Register No. 42	January 13, 2014	Check Nos. 189770-189785	Total: \$	29,582.09
Register No. 43	January 13, 2014	Direct Deposit:18633-18650	Total: \$	6,117.34
Register No. 44	January 13, 2014	Check Nos. 189786-189804	Total: \$	5,924.60
Register No. 45	January 13, 2014	Purchasing Cards 1240-1240	Total: \$	288.62
Register No. 46	January 13, 2014	Check Nos. 189805-189813	Total: \$	31,741.00
Register No. 47	January 13, 2014	Check Nos. 189814-189835	Total: \$	75,287.38
Register No. 48	January 14, 2014	Purchasing Cards 1241-1242	Total: \$	1,013.63
Register No. 49	January 14, 2014	Bond Wires:220-220	Total: \$	224,420.46
Register No. 50	January 14, 2014	Check Nos. 189836-189843	Total: \$	9,016.00
Register No. 51	January 14, 2014	Check Nos. 189844-189856	Total: \$	46,462.04
Register No. 52	January 14, 2014	Direct Deposit:18651-18651	Total: \$	90.95
Register No. 53	January 14, 2014	Check Nos. 189857-189862	Total: \$	10,305.47
Register No. 54	January 14, 2014	Direct Deposit:18652-18653	Total: \$	624.80
Register No. 55	January 14, 2014	Check Nos. 189863-189863	Total: \$	596.80
Register No. 56	January 15, 2014	Direct Deposit:18654-18654	Total: \$	4,918.59
Register No. 57	January 15, 2014	Check Nos. 189864-189868	Total: \$	2,687.00
Register No. 58	January 15, 2014	Check Nos. 189869-189873	Total: \$	248,106.63
Register No. 59	January 15, 2014	Direct Deposit:18655-18655	Total: \$	1,456.74
Register No. 60	January 15, 2014	Check Nos. 189874-189886	Total: \$	47,916.69
Register No. 61	January 15, 2014	Direct Deposit:18656-18658	Total: \$	3,080.64
Register No. 62	January 15, 2014	Check Nos. 189887-189897	Total: \$	5,961.23
Register No. 63	January 16, 2014	Direct Deposit:18659-18659	Total: \$	43.95
Register No. 64	January 16, 2014	Check Nos. 189898-189917	Total: \$	17,853.92
Register No. 65	January 16, 2014	Direct Deposit:18660-18662	Total: \$	1,242.70
Register No. 66	January 16, 2014	Check Nos. 189918-189923	Total: \$	368.52
Register No. 67	January 16, 2014	Direct Deposit:18663-18663	Total: \$	639.20
Register No. 68	January 16, 2014	Purchasing Cards 1243-1246	Total: \$	542.65
Register No. 69	January 16, 2014	Check Nos. 189924-189928	Total: \$	9,870.00
Register No. 70	January 16, 2014	Check Nos. 189929-189963	Total: \$	147,229.57
Register No. 71	January 17, 2014	Direct Deposit:18664-18666	Total: \$	568.44
Register No. 72	January 17, 2014	Check Nos. 189964-189965	Total: \$	247.00
Register No. 73	January 17, 2014	Check Nos. 189966-189973	Total: \$	35,409.83
Register No. 74	January 17, 2014	Direct Deposit:18667-18667	Total: \$	5,335.00
Register No. 75	January 17, 2014	Direct Deposit:18668-18671	Total: \$	158.47
Register No. 76	January 17, 2014	Check Nos. 189974-189993	Total: \$	367,154.50
Register No. 77	January 17, 2014	Check Nos. 189994-190004	Total: \$	16,025.19
			<b>Total:</b>	<b>\$1,374,235.33</b>

Consent Agenda Item Nos. 1 through 6, and 8, 9, and 10 were approved as written. Commissioner Anderson recommended the following Regular Agenda items be moved to Consent:

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**4. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE MERCHANT SERVICES AGREEMENT WITH OFFICIAL PAYMENTS CORPORATION**

Commissioner Anderson noted that while the agenda was posted to approve the Merchant Services Agreement with Official Payments Corporation, the correct name of the company is "Global Direct." Noting this change, approval was suggested.

**5. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A METER RENTAL AGREEMENT WITH NEOPOST USA INC. FOR THE POSTAGE MACHINE WJ185, SERIAL NO. 26525128, LOCATED IN THE ADMINISTRATION BUILDING; RENEWAL TERM 36 MONTHS AT \$55 PER MONTH**

**6. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M355 COPIER, SERIAL NO. 4502029X, LOCATED IN COMMUNITY DEVELOPMENT; RENEWAL DATES 1/12/2014 - 1/11/2015**

**7. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 65033027, LOCATED IN THE DEPARTMENT OF DRUG AND ALCOHOL PREVENTION AND TREATMENT - FOOTHILL RESIDENTIAL BUILDING; RENEWAL DATES 1/18/2014 - 1/17/2015**

**8. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M355 COPIER, SERIAL NO. 4502090X, LOCATED IN THE PERSONNEL OFFICE; RENEWAL DATES 1/11/2014 - 1/10/2015**

**9. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 55044499, LOCATED IN THE SHERIFF'S OFFICE - ADMINISTRATIVE SERVICES; RENEWAL DATES 1/4/2014 - 1/3/2015**

**10. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 55044499, LOCATED IN THE SHERIFF'S OFFICE - ADMINISTRATIVE SERVICES; RENEWAL DATES 1/4/2014 - 1/3/2015**

**11. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 55051499, LOCATED IN THE SHERIFF'S OFFICE - INVESTIGATIONS; RENEWAL DATES 1/4/2014 - 1/3/2015**

**12. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A MAINTENANCE AGREEMENT WITH LES OLSON COMPANY FOR AN AR-M455 COPIER, SERIAL NO. 65033727, LOCATED IN THE SHERIFF'S OFFICE - JUDICIAL SERVICES; RENEWAL DATES 1/1/2014 - 12/31/2014**

**13. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE PAYSON CITY CORPORATION COMMERCIAL UTILITY APPLICATION FORM FOR THE NEW PAYSON WIC CLINIC**

**14. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN LEASE ADDENDUM NO. 2 TO AGREEMENT NO. 2013-605 WITH PAYSON I, LLC TO ADJUST THE RENTAL LEASE COMMENCEMENT DATE**

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The commissioners requested that Regular Agenda Item No. 14 be continued to the next meeting of the Board.  
CONTINUED TO JANUARY 28, 2014

**15. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN LEASE ADDENDUM NO. 3 TO AGREEMENT NO. 2013-605 WITH PAYSON I, LLC FOR THE NEW PAYSON WIC BUILDING ELECTRIC POLE SIGN USE AND CONDITIONS**

The commissioners requested that Regular Agenda Item No. 15 be continued to the next meeting of the Board.  
CONTINUED TO JANUARY 28, 2014

**18. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE END OF THE ONE YEAR WARRANTY PERIOD FOR THE PATTEN FARMS SUBDIVISION, AND RELEASE THE 15% RETAINAGE BEING HELD BY WELLS FARGO BANK**

**20. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-527 WITH THE UTAH DEPARTMENT OF AGRICULTURE FOR THE INVASIVE SPECIES MITIGATION PROGRAM**

Commissioner Ellertson noted that the contract period was not specified for the agreements with the Utah Department of Agriculture on Regular Agenda Item Nos. 20 and 21; this would be corrected on the final document.

**21. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-529 WITH THE UTAH DEPARTMENT OF AGRICULTURE FOR THE SQUARROSE KNAPWEED SPECIES MITIGATION PROGRAM**

Commissioner Ellertson noted that the contract period was not specified for the agreements with the Utah Department of Agriculture on Regular Agenda Item Nos. 20 and 21; this would be corrected on the final document. Commissioner Witney asked whether the two contracts would require additional cost, and Utah County Public Works Director Richard Nielson clarified that the amounts were anticipated in the budget. Utah County Clerk/Auditor Bryan E. Thompson confirmed that unencumbered funds are available.

**22. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE HASLER/NEOPOST RENTAL AGREEMENT FOR THE POSTAGE MACHINE LOCATED IN THE SHERIFF'S OFFICE - JAIL ADMINISTRATION**

**23. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH ERGOMETRICS FOR TESTING SERVICES**

**24. ADOPT THE RESOLUTION FIXING THE COMPENSATION OF THE UTAH COUNTY JUSTICE COURT JUDGES FOR THE YEAR 2014**

The commissioners requested that Regular Agenda Item No. 24 be continued to the next meeting of the Board.  
CONTINUED TO JANUARY 28, 2014

**25. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN THE COOPERATIVE AGREEMENT FOR UTAH STATE UNIVERSITY EXTENSION EDUCATIONAL WORK FOR THE YEAR 2014**

**26. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AMENDMENT TO AGREEMENT NO. 2013-186 WITH FAIRWAYS MEDIA INC.**

The commissioners requested that Regular Agenda Item No. 26 be continued to the next meeting of the Board.  
CONTINUED TO JANUARY 28, 2014

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27. **APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN AN AGREEMENT WITH THE UTAH VALLEY CONVENTION CENTER FOR THE 2014 STATE OF THE COUNTY ADDRESS**
28. **ADOPT A RESOLUTION APPROVING AND AUTHORIZING THE RENEWAL OF UTAH COUNTY'S COMMITMENT TO THE MASTER LEASE AGREEMENT BETWEEN THE MUNICIPAL BUILDING AUTHORITY OF UTAH COUNTY UTAH, AS LESSOR, AND UTAH COUNTY, AS LESSEE, OF THE MOUNTAINLAND APPLIED TECHNOLOGY COLLEGE SPANISH FORK FACILITY FOR THE PERIOD FROM JANUARY 1, 2014 TO DECEMBER 31, 2014**

The commissioners requested that Regular Agenda Item No. 28 be continued to the next meeting of the Board.  
CONTINUED TO JANUARY 28, 2014

29. **ADOPT A RESOLUTION CONSENTING TO THE APPOINTMENT OF RENAE ANDERSON AND ALICE BLACK AS DEPUTY COUNTY RECORDERS**
30. **ADOPT A RESOLUTION OF REAPPOINTMENT OF TRACY WALLACE TO THE ADMINISTRATIVE CONTROL BOARD OF THE TIMPANOGOS SPECIAL SERVICE DISTRICT**

**ACTIONS TAKEN**

**Consent Agenda Item No. 1** was declared as surplus; No. 2 was **approved and authorized**; Nos. 3, 4, 5, 6 and 9 were **approved**; No. 7 was **tabled for further discussion**; No. 8 was **adopted**; and No. 10 was **ratified**. **Regular Agenda Item No. 4** was **approved with changes**; Nos. 5 through 13, 18, 20, 21, 22, 23, 25, and 27 were **approved and authorized**; Nos. 14, 15, 24, 26, and 28 were **continued** to the January 28, 2014 meeting of the Board; and Nos. 29 and 30 were **adopted**.

**AGREEMENT NOS.:** 2014-35, 2014-36, 2014-37, 2014-38, 2014-39, 2014-40, 2014-41, 2014-42, 2014-43, 2014-44, 2014-45, 2014-46, 2014-47, 2014-48, 2014-49, 2014-50, 2014-51, 2014-52, 2014-53, 2014-54, 2014-55, 2014-56 and 2014-57

**RESOLUTION NOS.:** 2014-5, 2014-6, and 2014-7

**REGULAR AGENDA**

**(PULLED FROM CONSENT)**

7. **APPROVE PROPERTY TAX ACTIONS CONTAINED IN RECOMMENDATION LETTER NO. 2014-2**  
There were four properties addressed within Recommendation Letter No. 2014-2, and Commissioner Ellertson suggested changes to three of the items as follows:

- Parcel Serial No. 59:005:0022 - Alejandro Breton  
Abate the penalty and any interest.
- Parcel Serial No. 34:461:0009 - Branton Richter  
Abate the penalty and any interest.
- Parcel Serial No. 53:400:0007 - Thanksgiving Holdings, LLC  
Abate the penalty only.

**Commissioner Ellertson made the motion to approve the Property Tax Actions contained in Recommendation Letter No. 2014-2, with the changes as identified in Consent Agenda Item No. 7. The motion was seconded by Commissioner Witney and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

AGREEMENT NO. 2014-58  
APPROVED WITH CHANGES

### **REGULAR AGENDA**

- 1. DELETE ONE FULL-TIME CAREER SERVICE ATTORNEY II-CRIMINAL POSITION (CLASS CODE 2001, ACCOUNT 100-41451); AND ADD ONE FULL-TIME CAREER SERVICE ATTORNEY III-CRIMINAL POSITION (CLASS CODE 2002, ACCOUNT 100-41451) TO THE STAFFING PLAN OF THE CRIMINAL DIVISION OF THE ATTORNEY'S OFFICE IN ORDER TO ACCOMMODATE A CAREER LADDER ADVANCEMENT**

Utah County Personnel Director Lana Jensen clarified that this action is to eliminate the Attorney II-Criminal position and create an Attorney III-Criminal position to allow a promotion. This does not move an individual from one position to the other, but creates the opportunity to do so.

**Commissioner Ellertson made the motion to delete one full-time Career Service Attorney II-Criminal position from, and add one full-time Career Service Attorney III-Criminal position to, the Staffing Plan of the Criminal Division of the Attorney's Office as detailed in Regular Agenda Item No. 1. The motion was seconded by Commissioner Witney and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

APPROVED

- 2. DELETE ONE HALF-TIME CAREER SERVICE ACCOUNTING CLERK-EXTENSION POSITION; AND ADD ONE THREE-QUARTER TIME CAREER SERVICE ACCOUNTING CLERK-EXTENSION POSITION (CLASS CODE 6950, ACCOUNT 100-45910) TO THE STAFFING PLAN OF THE EXTENSION OFFICE**

Commissioner Anderson summarized that this action would take a half-time individual to a three-quarter time position; the intent is to eventually employ them full-time. Commissioner Ellertson added that this is in accordance with budget discussions.

**Commissioner Ellertson made the motion to delete one half-time Career Service Accounting Clerk-Extension position from, and add one three-quarter time Career Service Accounting Clerk-Extension position to, the Staffing Plan of the Extension Office as described in Regular Agenda Item No. 2. The motion was seconded by Commissioner Witney and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

APPROVED

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### **3. ADD FOUR FULL-TIME CAREER SERVICE EQUIPMENT OPERATOR/SPRAYER I POSITIONS (CLASS CODE TBD) TO THE STAFFING PLAN OF THE PUBLIC WORKS DEPARTMENT**

Commissioner Anderson asked about the funding for the four proposed positions, and Commissioner Ellertson mentioned that they would be identified as grant-funded. Utah County Public Works Director Richard Nielson clarified that the positions are 75% grant-funded, and Commissioner Ellertson responded that the action would not be approved without that seventy-five percent. Commissioner Witney concurred that the positions should be specified as grant-funded so that there are not four full-time employees without responsibilities if the grants are no longer available in three or four years. Mr. Nielson noted that the Utah Division of Forestry, Fire & State Lands plans to continue their portion of funding for approximately fifteen years; Commissioner Anderson summarized that the employees are aware that the position is potentially long-term, but not guaranteed.

Utah County Personnel Director Lana Jensen voiced her preference that the four positions not be classified as grant-funded because they will be in the system for a minimum of four years. If not classified as grant-funded, a reduction in force process would be required if the monies are suspended. Commissioner Anderson pointed out that county personnel may not recall, in five or more years, that the positions were intended to be mostly supplemented through a grant. Ms. Jensen countered that no county position is guaranteed for any amount of time.

Commissioner Anderson suggested a note or other legislative intent to confirm the four Equipment Operator/Sprayer I positions are dependent on grant funding; without the grants, the jobs may be eliminated. Personnel Director Lana Jensen explained that a letter is signed by the employee when it makes sense, such as in the case of a one-year grant position. Commissioner Ellertson asked about the downfall in classifying the positions as grant-funded, and Ms. Jensen stated that it is confusing and more difficult to recruit applicants. Commissioner Ellertson mentioned the employees are already within the county, and Ms. Jensen clarified the positions must be opened to public recruitment.

Utah County Clerk/Auditor Bryan E. Thompson added that "99" coding is used internally to identify grant-funded positions. Lana Jensen repeated her preference that the "99" coding not be used in this circumstance, calling the distinction arbitrary. She explained that there are many positions within the county that have alternate funding sources: some are designated grant-funded, some are not, and others still are different percentages of grant funding. Ms. Jensen, Mr. Thompson, and the commissioners discussed the options.

Commissioner Witney understood the points made by Lana Jensen, but ultimately agreed with Commissioner Anderson and Bryan E. Thompson that the four positions should be classified as grant-funded. Commissioner Ellertson noted questions presented by the Clerk/Auditor's Office, and Mr. Thompson recalled that initial discussions indicated the positions would be fully grant-funded. Public Works Director Richard Nielson clarified that only seventy-five percent grant funding was anticipated.

**Commissioner Witney made the motion to add four full-time Career Service Equipment Operator/Sprayer I positions to the Staffing Plan of the Public Works Department, on the condition that the positions are internally classified as "grant-funded Code 99," as specified in Regular Agenda Item No. 3. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

APPROVED WITH CONDITIONS

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- 16. APPROVE OR DENY A REQUEST FROM ST. MARKS LUTHERAN CHURCH, AND THE UTAH COUNTY VETERANS SERVICE ORGANIZATION, TO WAIVE THE EVENT PERMIT FEE IN THE AMOUNT OF \$300.00; AND TO LOWER THE LIABILITY INSURANCE REQUIREMENT TO \$1,000,000 PER-OCCURRENCE, FOR USE OF A PORTION OF THE PROVO RIVER PARKWAY FOR THE “VETERANS COMMUNITY VOLKS WALK” TO BE HELD MAY 30 AND 31, 2014**

Commissioner Anderson acknowledged the request from St. Marks Lutheran Church, and the Utah County Veterans Service Organization, to lower the insurance requirements for use of the parkway in May 2014. Utah County Deputy Attorney David Shawcroft explained that there would be increased liability on behalf of the county, but the Board can choose to assume that responsibility. Commissioner Ellertson suggested that the Veterans Community Volks Walk is a worthwhile endeavor for Utah County.

**Commissioner Ellertson made the motion to waive the \$300 event permit fee, as well as any insurance requirements in excess of \$1,000,000 per occurrence, for the St. Marks Lutheran Church and the Utah County Veterans Service Organization to use a portion of the Provo River Parkway for the “Veterans Community Volks Walk” on May 30 and May 31, 2014, as outlined in Regular Agenda Item No. 16, with the finding that the benefit to the community exceeds the monetary fees in fair and adequate consideration to the county. The motion was seconded by Commissioner Witney and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

AGREEMENT NO. 2014-59

While discussing the correct pronunciation of “Volks Walk,” Commissioner Anderson was reminded of a story from his time spent in Germany while serving a mission for The Church of Jesus Christ of Latter-Day Saints in his youth; he took a moment of personal privilege to share with the audience.

- 17. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN WRITTEN PERMISSION FOR THE UTAH STATE UNIVERSITY COOPERATIVE EXTENSION SERVICE TO USE ARCHERY EQUIPMENT AT EQUESTRIAN PARK FOR THE “4-H ARCHERY SHOOT” TO BE HELD FEBRUARY 13, 2014**

When Commissioner Ellertson commented on the direction of arrows being shot, Utah County Public Works Director Richard Nielson clarified that the event will take place indoors.

**Commissioner Witney made the motion to approve and authorize written permission for the Utah State University Cooperative Extension Service to use archery equipment at Equestrian Park for the “4-H Archery Shoot” on February 13, 2014 as defined in Regular Agenda Item No. 17. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

AGREEMENT NO. 2014-60



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**19. APPROVE AND AUTHORIZE THE COMMISSION CHAIR TO SIGN A CHANGE ORDER TO AGREEMENT NO. 2011-373 WITH CONDIE CONSTRUCTION IN THE AMOUNT OF \$54,342.91 FOR ADDITIONAL WORK TO COMPLETE THE GENOLA STORM FLOW PROJECT**

Utah County Public Works Director Richard Nielson referred to a discussion during the December 17, 2013 meeting of the Board regarding this project. Commissioner Witney noted the inconsistencies of amending an agreement for the northern part of Utah County to address issues in the South. Mr. Nielson explained that after the work with the contractor was approved, UDOT (Utah Department of Transportation) placed additional requirements for traffic control. Commissioner Ellertson summarized the request by UDOT would burden the county with an additional \$55,000 charge, and Mr. Nielson confirmed. Commissioner Ellertson mentioned that the extra costs would have been required regardless of whom would fulfill the contract.

Richard Nielson spoke about eliminating flood waters along the highway. He explained that UDOT is requiring the contractor, Condie Construction, to place concrete jersey barriers in the open-trench work zone. This can only be done 800 feet at a time, instead of the complete 2200 feet initially planned. Mr. Nielson indicated it is a somewhat illogical requirement by UDOT; the concrete jerseys will be a much higher expense than the orange safety barrels commonly used. Commissioners Anderson and Ellertson agreed, questioning whether this is policy, and Mr. Nielson stated he was unsure. Commissioner Ellertson expressed that he would be communicating his concerns to UDOT.

**Commissioner Ellertson made the motion to approve and authorize the change order to Agreement No. 2011-373 with Condie Construction in the amount of \$54,342.91 for additional work to complete the Genola Storm Flow Project as discussed in Regular Agenda Item No. 19. The motion was seconded by Commissioner Witney and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

AGREEMENT NO. 2014-61

At this point, the commissioners determined which closed meetings would be necessary to set and which could be stricken from the Regular Agenda.

**33. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY  
STRICKEN**

**35. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS COMMERCIAL INFORMATION AS DEFINED IN SECTION 59-1-404, U.C.A., AS AMENDED  
STRICKEN**

**Commissioner Witney made the motion to strike Regular Agenda Item Nos. 33 and 35 to set dates, times and locations for closed meetings for a strategy session to discuss the purchase, exchange, or lease of real property; and to discuss commercial information as defined in Section 59-1-404, U.C.A., as amended. The motion was seconded by Commissioner Ellertson and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

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**31. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL OR INDIVIDUALS**

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or individuals to immediately follow the public comment portion of the regular public meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

SET

**32. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION**

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss pending or reasonably imminent litigation to immediately follow the previously scheduled closed meeting today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

SET

**34. SET A DATE, TIME AND LOCATION FOR A CLOSED MEETING FOR A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY**

Commissioner Ellertson made the motion to set a date, time and location for a closed meeting for a strategy session to discuss the sale of real property to immediately follow the previously scheduled closed meetings today in Room 1400 of the County Administration Building. The motion was seconded by Commissioner Witney and carried with the following vote:

AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None

SET

**WORK SESSION**

NO WORK SESSION ITEMS WERE SUBMITTED

**PUBLIC COMMENTS**

Commissioner Anderson reminded the county employees in the audience that the 2014 State of the County Address would be held today beginning at 1:00 P.M. at the Utah Valley Convention Center.

This concluded the public comment portion of the open meeting, and the meeting recessed at 9:35 A.M. to go into closed meetings. The public meeting reconvened at 10:27 A.M.

**Commissioner Ellertson made the motion to adjourn the January 21, 2014 meeting of the Utah County Board of Commissioners. The motion was seconded by Commissioner Witney and carried with the following vote:**

**AYE: Gary J. Anderson  
Larry A. Ellertson  
Doug Witney  
NAY: None**

There being no further business nor public comment, the meeting adjourned at 10:27 A.M. The minutes of the January 21, 2014 Commission Meeting were approved as transcribed on February 25, 2014.

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GARY J. ANDERSON, Commission Chair

ATTEST:

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BRYAN E. THOMPSON  
Utah County Clerk/Auditor